Increase in compensation for rail accidents

1490. SHRI C. RAMACHANDRAIAH: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government's attention been drawn to the recent judgement of the Supreme Court upholding Rs. Six Lakhs compensation of Railway Claims Tribunal in favour of a young lady travelling from Trichur to Bangalore by Island Express on 9th September, 1996 and crippled and maimed for life due to negligence and carelessness of Railways;

(b) if so, the details thereof;

(c) whether, in order to compensate adequately the victims of rail accident who are maimed, crippled and disabled for life, Government propose to amend statutory rules to raise the compensation amount; and

(d) if so, the details thereof, and if not, reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL): (a) Yes, Sir.

(b) A statement is attached (*See* below)

(c) and (d) Rules have already been amended to pay higher compensation for train accidents or untoward incidents taking place on or after 1-11-97. Compensation for death and permanent disability has been raised from Rs. 2 lakhs to Rs. 4 lakhs. In case of injuries, the minimum amount has been raised from Rs. 16,000 to Rs. 32,000 and the maximum from Rs. 1.80 lakhs to Rs. 3.60 lakhs.

Statement

Details of the case filed by Ms. Rathi Menon for compensation

On 03-09-96, Ms. Rathi Menon, a lady passenger by Train No. 6525 CAPE-Bangalore Express fell down from the train near Palghat Station. She was injured due to her fall. Subsequently, due to passing of train No. 6042 Alleppey-Chennai Express, she was injured again. She was sent to Hospital for treatment.

Ms. Rathi Menon filed two separate cases in Railway Claims Tribunal/Ernakulam for compensation. Railway Claims Tribunal/ Ernakulam awarded Rs. 4 lakhs and Rs. 2 lakhs separately, in favour of the claimant on 15-6-98. Enhanced compensation came into force with effect from 1-11-1997 only. As the above incident occurred prior to 1-11-1997, the Railway had filed appeal before the High Court of Kerala. Taking the above stipulation into consideration, the High Court awarded an amount of Rs. 3,00,000/- only. The Supreme Court upheld the compensation of Rs. 6 lakhs awarded by the Railway Claims Tribunal/Ernakulam after Special Leave Petition was filed by the victim. Accordingly, the decree passed by the Supreme Court was satisfied on 7.6.2001.

Phasing out subsidies on rail fares

1491. SHRI R.S. GAVAI: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways propose to change the existing system of tariff setting to phase out subsidies on passenger fares;

(b) if so, the details thereof;

(c) if not, the reasons therefor;

(d) whether Rakesh Mohan Committee has made recommendations in this regard;

(e) if so, the details thereof; and

(f) the reaction of Government thereto?

THE MINISTER OF STATE IN THE MINISTRY OF RAILWAYS (SHRI O. RAJAGOPAL): (a) to (c) Railways incur losses in providing certain passenger services on social consideration. Indian Railways do not receive any subsidy on this account. Rationalisation of passenger fares to reduce the losses is a continuous process.

(d) to (f) The Rakesh Mohan Committee has so far not submitted the final report.